

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

CHARLES LAKEEFE TAYLOR §
TDCJ-CID #784490 §
§
v. § C.A. NO. C-05-299
§
EILEEN KENNEDY, ET AL. §

MEMORANDUM OPINION AND ORDER OF DISMISSAL

On August 9, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 14). While the plaintiff did file a response (D.E. 18), the response did not contain any specific objections. Therefore, as no objections have been filed by either party, this Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, plaintiff's action is dismissed without prejudice for failure to exhaust pursuant to 42 U.S.C. § 1997e(a), and plaintiff's application for leave to proceed in forma pauperis (D.E. 13) is denied as moot.

ORDERED this 1 day of September, 2005.

Hayden Head
HAYDEN HEAD
CHIEF JUDGE

